

CHAPTER 397

GOVERNMENT - STATE

HOUSE BILL 21-1111

BY REPRESENTATIVE(S) McKean, Amabile, Bernett, Bird, Carver, Duran, Gonzales-Gutierrez, Gray, Hooton, McCluskie, McCormick, Mullica, Pelton, Pico, Ricks, Roberts, Snyder, Titone, Valdez A., Valdez D., Van Beber, Van Winkle, Geitner, Woodrow;
also SENATOR(S) Bridges and Gonzales.

AN ACT**CONCERNING THE POSSESSION OF CERTAIN PERSONAL INFORMATION BY GOVERNMENTAL ENTITIES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add 24-37.5-122** as follows:

24-37.5-122. Study of personally identifiable information - authority of chief information officer - report to joint technology committee - definitions - repeal.

(1) THE CHIEF INFORMATION OFFICER SHALL CONVENE AN ADVISORY GROUP TO STUDY WHERE PERSONALLY IDENTIFIABLE INFORMATION IS STORED BY STATE AGENCIES THROUGHOUT COLORADO, TO STUDY ENTITIES THAT HAVE ACCESS TO PERSONALLY IDENTIFIABLE INFORMATION STORED BY STATE AGENCIES, AND TO DETERMINE THE COSTS AND PROCESSES NECESSARY TO CENTRALIZE THE STORAGE AND PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION.

(2) THE ADVISORY GROUP CONSISTS OF:

(a) THE MEMBERS OF THE GOVERNMENT DATA ADVISORY BOARD CREATED IN SECTION 24-37.5-703;

(b) ONE MEMBER WHO REPRESENTS THE ATTORNEY GENERAL'S OFFICE, APPOINTED BY THE ATTORNEY GENERAL; AND

(c) ANY NUMBER OF MEMBERS WHO ARE PERSONALLY IDENTIFIABLE INFORMATION EXPERTS SELECTED AND APPOINTED BY THE CHIEF INFORMATION OFFICER.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(3) ON OR BEFORE JANUARY 1, 2023, THE ADVISORY GROUP SHALL COMPLETE ITS WORK AND PRESENT TO THE JOINT TECHNOLOGY COMMITTEE A SUMMARY OF THE ADVISORY GROUP'S FINDINGS, INCLUDING, IF APPROPRIATE, PROPOSALS FOR LEGISLATION.

(4) AS USED IN THIS SECTION:

(a) "PERSONALLY IDENTIFIABLE INFORMATION" MEANS INFORMATION THAT MAY BE USED, ALONG OR IN CONJUNCTION WITH ANY OTHER INFORMATION, TO IDENTIFY A SPECIFIC INDIVIDUAL, INCLUDING BUT NOT LIMITED TO A NAME; A DATE OF BIRTH; A PLACE OF BIRTH; A SOCIAL SECURITY NUMBER OR TAX IDENTIFICATION NUMBER; A PASSWORD OR PASS CODE; AN OFFICIAL GOVERNMENT-ISSUED DRIVER'S LICENSE OR IDENTIFICATION CARD NUMBER; INFORMATION CONTAINED IN AN EMPLOYMENT AUTHORIZATION DOCUMENT; INFORMATION CONTAINED IN A PERMANENT RESIDENT CARD; VEHICLE REGISTRATION INFORMATION; A LICENSE PLATE NUMBER; A PHOTOGRAPH, ELECTRONICALLY STORED PHOTOGRAPH, OR DIGITIZED IMAGE; A FINGERPRINT; A RECORD OF A PHYSICAL FEATURE, A PHYSICAL CHARACTERISTIC, A BEHAVIORAL CHARACTERISTIC, OR HANDWRITING; A GOVERNMENT PASSPORT NUMBER; A HEALTH INSURANCE IDENTIFICATION NUMBER; AN EMPLOYER, STUDENT, OR MILITARY IDENTIFICATION NUMBER; A FINANCIAL TRANSACTION DEVICE; A SCHOOL OR EDUCATIONAL INSTITUTION ATTENDED; A SOURCE OF INCOME; MEDICAL INFORMATION; BIOMETRIC DATA; FINANCIAL AND TAX RECORDS; HOME OR WORK ADDRESSES OR OTHER CONTACT INFORMATION; FAMILY OR EMERGENCY CONTACT INFORMATION; STATUS AS A RECIPIENT OF PUBLIC ASSISTANCE OR AS A CRIME VICTIM; RACE; ETHNICITY; NATIONAL ORIGIN; IMMIGRATION OR CITIZENSHIP STATUS; SEXUAL ORIENTATION; GENDER IDENTITY; PHYSICAL DISABILITY; INTELLECTUAL AND DEVELOPMENTAL DISABILITY; OR RELIGION.

(b) "STATE AGENCY" MEANS ANY DEPARTMENT, COMMISSION, COUNCIL, BOARD, BUREAU, COMMITTEE, INSTITUTION OF HIGHER EDUCATION, AGENCY, OR OTHER GOVERNMENTAL UNIT OF THE EXECUTIVE, JUDICIAL, OR LEGISLATIVE BRANCH OF STATE GOVERNMENT.

(5) THIS SECTION IS REPEALED, EFFECTIVE JANUARY 1, 2024.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: June 30, 2021